

***United States Court of Appeals
for the Second Circuit***



**RESPONDENT'S
BRIEF**

NO. 76-40688

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

MOHAWK EXCAVATING, INC.,

Petitioner,

v.

OCCUPATIONAL SAFETY AND HEALTH REVIEW
COMMISSION and W. J. USERY, JR.,
Secretary of Labor,

Respondents.

ON PETITION FOR REVIEW OF AN ORDER OF THE
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

BRIEF FOR THE COMMISSION

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IN THE UNITED STATES COURT OF APPEALS
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No. 76-4068

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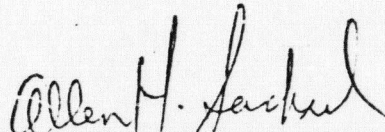
The Occupational Safety and Health Review Commission
adopts the substance of the brief filed by the Secretary
of Labor in this case.

CERTIFICATE OF SERVICE

I certify that on July 20, 1976, I caused copies of the foregoing brief to be mailed, postage prepaid, to each of the following:

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